

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

JENNIFER BRADLEY,

Plaintiff,

v.

AMERICAN UNIVERSITY, ET AL.,

Defendants.

Civil Action No. 1:16-cv-00346-RBW

**PLAINTIFF'S RESPONSE TO DEFENDANT NCAA'S
MOTION FOR SUMMARY JUDGMENT**

COMES NOW Plaintiff, by and through undersigned counsel, and respectfully submits to this Honorable Court her Response to Defendant NCAA's Motion for Summary Judgment. In response thereto, Plaintiff states the following and relies upon the accompanying Memorandum of Points and Authorities as well as the arguments set forth in ECF Document Nos. 86 – 86-29:

1. Defendant NCAA's was under a duty to educate, monitor, regulate, and police its member institutions, specifically with regard to the implementation of the concussion management plan.
2. Defendant NCAA's acknowledgement that proper implementation of a concussion management plan required that any student-athlete suspected of a concussion be placed in the concussion management plan and Mr. Dash's testimony that Defendant American University did not- and still does not- place any student-athletes into the concussion management plan without a confirmed diagnosis supports the claim that Defendant NCAA breached its duties to monitor, regulate, and police its member institutions.
3. Plaintiff's specific reliance upon the NCAA's duty was reasonable.
4. Plaintiff's injuries were foreseeable injuries of the NCAA's breaches of its duties.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on the 31st day of January, 2019, a true copy of the foregoing ECF File

System was provided via the Court's ECF system to:

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